



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

AUG 20 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Article Number: 7013 3020 0001 1645 7345

Mr. Joseph G. Schon
Agromac International, Inc.
P.O. Box 100
Scottsbluff, Nebraska 69363-0100

RE: Agromac-Lockwood Site
20757 Highway 92 East
Gering, Nebraska
RCRA ID No.: NED044101442

Dear Mr. Schon:

Letter of Warning/Request for Information

On March 27, 2014, representatives of the U.S. Environmental Protection Agency (EPA) inspected your facility located at 220757 Highway 92 East, Gering Nebraska (hereinafter "Facility"). The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA).

My staff has reviewed the inspection report and your responses to the Notice of Violation (NOV) dated April 6, 2014, April 10, 2014, and May 14, 2014. EPA has determined that violations of RCRA were documented. We are requesting additional information regarding your facility's compliance status. Enclosed is a list of violations followed by a list of questions and/or requested information. Also enclosed are instructions to be used in providing your response. Please carefully read and follow these instructions. Your response to this request in accordance with the instructions is required by Section 3007 of RCRA and substantial penalties may result from not complying. Please note that EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of the inspection, regardless of whether the violations were subsequently corrected.



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Within thirty (30) calendar days of receiving this letter, please mail your response to: Kevin D. Snowden, AWMD/WEMM, U.S. Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions concerning this letter to Mr. Snowden, of my staff, at (913) 551- 7022 or by email at snowden.kevin@epa.gov.

APR 05 2004
Sincerely,



Donald Toensing, Chief
Waste Enforcement and Materials Management Branch
Air and Waste Management Division

Enclosures

cc: Mr. Jeff Edwards, Nebraska Department of Environmental Quality
Ms. Siew Kour, Nebraska Department of Environmental Quality

List of Violations
Agromac-Lockwood Site
220757 Highway 92 East
Gering, Nebraska
RCRA ID No.: NED044101442

1. Permit Condition Part I, Section I.E.11. and Permit Condition Part II, Section I.D.6.n. – Failure to provide notification to the Director regarding transfer of ownership of the Facility property.
 2. *Permit Condition Part I, Section II.D.2. – Failure to make repairs to any unsatisfactory conditions (e.g., damage to monitoring well M-4).
 3. **Permit Condition Part I, Section II.D.1. – Failure to inspect the Facility on a monthly basis.
 4. *Permit Condition Part I, Section II.C. – Failure to maintain the security of the final cover system (see 10/28/2004 Part B Permit Application, Site Security, page B-1 regarding required signage).
 5. **Permit Condition Part I, Section II.D.3. – Failure to maintain all inspection records and supporting information at the Facility.
 6. ***Permit Condition Part I, Section I.K. and Permit Condition Part II, Section I.J. – Failure to maintain documents and records at the Facility.
- * – This violation has been addressed by the facility.
- ** – This violation has been addressed by the facility; however, additional follow-up by Siew Kour, NDEQ and Patricia Murrow, EPA may be required.
- *** – This violation was identified following review of the inspection report.

List of Requested Information
Agromac-Lockwood Site
220757 Highway 92 East
Gering, Nebraska
RCRA ID No.: NED044101442

1. Regarding Violation #1, please provide a map and legal description that identifies the property that was sold to Advanced Technology Repair (ATR) on or about February 15, 2007.
2. Regarding Violation #3, Permit Condition Part I, Section II.D.1. states, "the Permittee must inspect the Facility on a monthly basis. . . ." Therefore, from this point forward, please ensure that the Facility (e.g., closed surface impoundment, security, monitoring wells, etc.) is inspected monthly. In accordance with Permit Condition Part I, Section II.K., the Permittee may request a permit modification for a change in the frequency of the inspections.
3. Regarding Violation #5, Permit Condition Part I, Section II.D.3. states, "the Permittee must maintain all inspection records and supporting information at the Facility for at least three (3) years from the date of inspection. At a minimum, these records must include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other corrective actions." On March 27, 2008, the Nebraska Department of Environmental Quality (NDEQ) provided approval of changes to pages B-2 and B-5 for insertion into the Post-Closure Permit Application approved by the NDEQ November 2, 2004. Pages B-1 through B-5 (see attached) comprise the inspection schedule and checklist that the Facility is required by the Permit to be utilized when conducting the monthly inspections. In accordance with Permit Condition Part I, Section II.K., the Permittee may request a permit modification for a change in the inspection schedule and checklist.
4. Regarding Violation #6, Permit Condition Part I, Section I.K. and Permit Condition Part II, Section I.J. requires the Permittee to maintain documents and records at the Facility. Please review these Permit Conditions which provide a list of the required documents and records to maintain at the Facility. In your response, please indicate the date that the documents and records have been transferred to the Facility and their specific location at the Facility.

3007 RESPONSE INSTRUCTIONS

Identify the Person(s) responding to this request on your behalf.

Address each numbered item separately, and precede each answer with the number of the item to which it responds.

For each numbered item, identify all documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the requested item. Provide true, accurate, and legible copies of all such documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide the information.)

For each document provided, indicate on the document (or in some similar manner) the number of the item to which it responds.

For each numbered item, identify all persons consulted in the preparation of the answer.

For purposes of this request, the term "you" or "your" refers to the company, corporation and any officer, principal, agent employee, or any other person(s) associated in any capacity.

If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.

If information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.

If, at any time after you submit your response, you find that any part of the information you submitted is incomplete, false, or misrepresents the truth, you must notify the EPA immediately.

You must provide the requested information even though you consider it confidential information or trade secrets. If you want to make a confidentiality claim covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential."

The EPA will disclose this information only to the extent and by the means described in 40 CFR Part 2, Subpart B., provided that it qualifies as confidential business information.

A request for an extension to the time limit for responding must be in writing and must be postmarked within five (5) calendar days of receipt of this information request. Address it to the person identified in the cover letter to receive your response.

Copies of the Code of Federal Regulations may be obtained from the U.S. Government Bookstores or on the Internet at www.epa.gov/epahome/cfr40.htm.

This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980.

The EPA encourages you to conserve resources. Suggested methods include use of recycled paper, printing on both sides (duplex printing), and when possible submitting documents electronically (i.e., email or compact discs). If hard copy submittals are necessary, please do not submit documents in binders.

Not responding to this information request within the stated time limit and in accordance with these instructions may subject your facility to an enforcement action which could include the imposition of penalties of up to \$37,500 per violation, per day of continued noncompliance. Providing false, fictitious, or fraudulent statements or representations could lead to criminal penalties.

